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**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ANTONIO ORTIZ,

Defendant - Appellant.

No. 07-50007

D.C. No. CR-06-00348-DMS

MEMORANDUM^{*}

Appeal from the United States District Court
for the Southern District of California
Dana M. Sabraw, District Judge, Presiding

Submitted November 13, 2007^{**}

Before: TROTT, W. FLETCHER, and CALLAHAN, Circuit Judges.

Antonio Ortiz appeals the conviction imposed, following a bench trial, for being a deported alien found in the United States, in violation of 8 U.S.C. § 1326. We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Ortiz contends that the waiver of his right to counsel was not knowing, intelligent, or voluntary. We disagree. The record reflects that Ortiz unequivocally waived his right to counsel after the district court made him aware of “(1) the nature of the charges against him; (2) the possible penalties; and (3) the dangers and disadvantages of self-representation.” *See United States v. Farhad*, 190 F.3d 1097, 1099-100 (9th Cir. 1999) (per curiam).

AFFIRMED.